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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,819	04/13/2007	Olexandr Vityaz	Slobodyanyuk -01	4574
7590	10/20/2008		EXAMINER	
David M. Ostfeld Adams and Reese 4400 One Houston Center 1221 McKinney Houston, TX 77010				NILFOROUSH, MOHAMMAD A
ART UNIT		PAPER NUMBER		
		3685		
MAIL DATE		DELIVERY MODE		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/582,819	VITYAZ, OLEXANDR	
	<b>Examiner</b>	<b>Art Unit</b>	
	MOHAMMAD NILFOROUSH	3685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 6/14/2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 2 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1 and 2 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 14 June 2006 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Acknowledgements***

1. Claims 1 and 2 are pending.
2. Claims 1 and 2 have been examined.
3. This Office action is given Paper No. 20081007 for reference purposes only.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.
4. Claim 1 recites the limitation "the server units" in line 4, "the bank's processing center" in line 6, "the bank's issued card database" in line 8, "the user" in line 11, "the card's details" in line 18, and "the user registration details" in line 21. There is insufficient antecedent basis for these limitations in the claim.

Claim 2 is also rejected as it depends on claim 1.

5. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: Steps describing the method of the invention. Due to the wording of the language used in the claim, it is unclear what method steps are claimed. The only positively recited step apparent in the claim is "establishing a protected link by a proxy".

Claim 2 is also rejected as it depends on claim 1.

6. Claim 1 recites "establishing a protected link by a proxy between a user registration control bank server (UR) via the bank's processing center with respective remote banking or financial user card serving terminals (UCST), link of the bank's issued card database server (BICD) with the bank's processing center, and between the user registration control bank server (UR) and at least one of the server units...". It is unclear how the various components used in the method are connected, i.e. which components are parts of the proxy and which components are external to and connected to the proxy.

7. Claim 1 further recites "after registration the user gets..." and "wherein the user is registered". Claim 2 recites "a card detail verification of a user...is performed...in order to register the user". However, it is unclear whether user registration is part of the method because while events that have taken place after registration are discussed, there is no positively step of "registering a user". An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only

in this way can uncertainties of claim scope be removed (*In re Zletz*, 13 USPQ2d 1320 (Fed. Cir. 1989)).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fieldhouse (US Patent Application Publication No. 2003/0037000) in view of Garib (US Patent Application Publication No. 2002/0078351).

10. Regarding claim 1, Fieldhouse discloses a method for user registration with a proxy for further work with a server unit comprising establishing a link by a proxy (Figure 1, bank computer system **11**; Paragraph **10**) between bank computer (Figure 1, bank computer **14**; Paragraph **10**) and a remote banking or financial user card serving terminal (Figure 1, ATM **12**; Paragraph **10**) via the bank's processing center; and establishing a link between the bank computer and at least one server unit (Figure 1, telecommunications gateway server **16**; Paragraph **10**); wherein a user registers (Paragraphs **22-24**) and receives a notification indicating successful registration at a remote banking or financial user card serving terminal (Paragraphs **25-27**), the details of the user's card are verified using a bank's computers (Paragraph **19**), and the user

registration control bank server transmits the user's details to the respective server unit (Paragraph **22**).

Fieldhouse does not specifically disclose that the bank computer comprises a separate processing center, a user registration control bank server, and a bank's issued card database. Fieldhouse further does not specifically disclose that the user receives a set of code symbols at the ATM.

Garib discloses providing a user with a password at an ATM (Paragraph **42**). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Fieldhouse to include the capability of providing a password to a user at an ATM as disclosed in Garib in order to allow a user/account holder to be able to receive encrypted statements from the account provider (Garib, Paragraphs **39, 45-46, and 50**). Further, it would have been obvious to one ordinary skill in the art at the time of the invention to separate the functionality of a bank's computer system into a separate processing center, a user registration control bank server, and a bank's issued card database as it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art (*In re Dulberg*, 129 USPQ 348, (CCPA 1961)).

11. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fieldhouse in view of Garib, in further view of Miyazaki, et al. (US Patent Application Publication No. 2001/0037300, hereinafter "Miyazaki").

12. Regarding claim 2, Fieldhouse discloses that the details of the user's card are verified using a bank's computers (Paragraph **19**). Fieldhouse in view of Garib does not

specifically disclose verifying the card details of a user whose card has been issued by another bank using the other bank's issued card database server in order to register the user.

Miyazaki discloses the capability of one ATM to serve customers of multiple banks by identifying the user' bank based on the user's account information, forwarding transaction messages directly to the appropriate bank and receiving a response from that bank (**Paragraphs 10-11, 14**).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Fieldhouse in view of Garib to include providing a single ATM the ability to service customers from multiple banks by communicating directly with the respective banks' computer systems as disclosed in Miyazaki in order to allow customers access to more ATMs without having to pay a service charge (Miyazaki, Paragraph 4) and to allow customers to use their own bank's menu interface when using an ATM of another bank (Miyazaki, Paragraph 9).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD NILFOROUSH whose telephone number is (571)270-5298. The examiner can normally be reached on Monday-Thursday 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571)272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. N./  
Examiner, Art Unit 3685  
/Calvin L Hewitt II/  
Supervisory Patent Examiner, Art Unit 3685